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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF WASHINGTON**

7 TRINA LUNA,

8 Plaintiff,

9 vs.

10 COMMISSIONER OF SOCIAL
11 SECURITY,

Defendant.

No. 1:17-cv-03080-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF Nos. 16, 20

12 BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF
13 No. 20) of the above-captioned matter to the Commissioner for additional
14 administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g).
15 Attorney D. James Tree represents Plaintiff. Attorney Sarah Martin represents
16 Defendant. The parties have consented to proceed before a magistrate judge. ECF
17 No. 7. After considering the file and proposed order, **IT IS HEREBY**

18 **ORDERED:**

19 1. The parties' Stipulated Motion for Remand (**ECF No. 20**) is
20 **GRANTED.**

1 2. The above-captioned case is **REVERSED** and **REMANDED** to the
2 Commissioner of Social Security for further administrative proceeding pursuant to
3 sentence four of 42 U.S.C. § 405(g).

4 On remand the administrative law judge (ALJ) shall hold a de novo hearing,
5 further develop the record, and issue a new decision in regard to Plaintiff's
6 application for Disability Insurance Benefits and Supplemental Security Income
7 under Titles II and XVI of the Social Security Act. The ALJ shall also: (1)
8 reevaluate Plaintiff's fibromyalgia pursuant to Social Security Ruling 12-2p; (2)
9 reevaluate the opinion evidence; (3) reassess Plaintiff's symptoms pursuant to
10 Social Security Ruling 16-3p; (4) if warranted, reassess Plaintiff's residual
11 functional capacity; and (5) obtain vocational expert evidence at step five.

12 3. Judgment shall be entered for **PLAINTIFF**.

13 4. Plaintiff's Motion for Summary Judgment (**ECF No. 16**) is **STRICKEN**
14 **AS MOOT**.

15 5. Upon proper presentation, this Court will consider Plaintiff's application
16 for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

17 The District Court Executive is directed to enter this Order, **enter**
18 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

19 DATED October 26, 2017.

20 s/Mary K. Dimke
MARY K. DIMKE
UNITED STATES MAGISTRATE JUDGE